



TO: Mayor Salas, Councilmembers Aguilar, Diaz, McCann, & Padilla

Mrs. Judy Wilson's noise problem, via preposed carwash
(This is scheduled for your Sept. 18 Council meeting)

Mrs. Wilson's house lies next to and above Don's Auto Repair at 495 Telegraph Canyon Road. A developer is turning Don's into a carwash next to her property line. The "tunnel" with the noisy blowers will be at the very back of property, about 20-30 feet below Judy's back yard.

The Chula Vista's noise ordinance says that the limit standard of noise for a residential area is **55 dB**. But if the 'ambient' level (current level) is higher than that, then the higher level becomes the limit standard. **The developer's noise consultant measured Judy's current ambient level at 66.9 dB, therefore that is the standard limit now for her.*** (Document attached, page 2.)

One of the conditions of approval of **Resolution No. CUP15-0023 was item III.-2:** "Approval of the Conditional Use Permit shall not waive compliance with any sections of Title 19 of the Municipal Code, nor any other applicable laws and regulations in effect at the time of building permit issuance."

I had requested that the current ambient level of 66.9 dB should be one of the conditions of approval in the Resolution. It was **not** explicitly stated as such in the Resolution of findings and conditions at the Planning Commission stage. Planner Caroline Young says it is **"implied** in the general condition that the project has to meet all of the Chula Vista Municipal Code requirement, one being our noise thresholds. Since this project did a Noise Study, the project has to comply with what is **stated in this study.**" (Bold type added) (Document attached, page 3.) That is not good enough. **I request that that number be explicitly expressed** in the Resolution, for everyone's sake including the developer.

I intend to hire my son's firm** to measure the level of noise after the carwash begins operations. So I think it is very important that everyone knows what the game is.

Judy and her neighbors are already living with *double* the standard of noise as other Chula Vista residents - - enough is enough. Please do what you can to insist that **a condition of approval include some statement like: 'The operation of the carwash must not cause the ambient level of noise of 66.9dB to increase.'** (Document attached, page 4.)

Thank you,
Peter Watry

* As a general rule, a 10 dB difference in noise level is perceived as a doubling of loudness.
** My son, Derek Watry, is a Principal of Wilson Ihrig and Associates, an acoustic, noise and vibration engineering consulting firm located in Emeryville, CA.

cc: Caroline Young, Associate Planner/Project Manager
Chula Vista Development Services Department

(Applicant's Consultant "Noise Study," p. 12)

"The worst-case *carwash noise levels* at the adjacent residential properties to the north were calculated to be as high as 66.0 dBA, slightly under the **66.9 dBA measured limit**. . . . Therefore, **there are no residential impacts from the carwash.**"

(Bold type added)

Peter,

In our conditions of approval, we don't specially state they have to comply with the Noise Study, but this is **implied** in the general condition that the project has to meet all of the Chula Vista Municipal Code requirement, one being our noise thresholds. Since this project did a **Noise Study**, the project **has to comply** with what is stated **in this study**. *(Bold type added.)*

Caroline Young
Associate Planner/Project Manager
Development Planning
Development Services Department
City of Chula Vistas

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Resolution CUP15-0023

III. 2. Approval of the Conditional Use Permit shall not waive compliance with any sections of Title 19 of the Municipal Code, nor any other applicable laws and regulations in effect at the time of building permit issuance.

(Requested addition:)

The operation of the carwash must not cause the pre-carwash ambient level of noise of 66.9 dB to increase.